

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

No. 5:08-CR-00246-F-1

No. 5:16-CV-00042-F

MICHAEL HERNANDEZ,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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ORDER

Having examined Petitioner's motion pursuant to Rule 4(b) of the Rules Governing § 2255 Proceedings, the United States Attorney is DIRECTED to file an Answer pursuant to Rule 5, Rules Governing § 2255 Proceedings, or to make such other response as appropriate to the above-captioned § 2255 Motion to Vacate, Set Aside or Correct Sentence, within **forty (40)** days of the filing of this order.

SO ORDERED.

This 24<sup>th</sup> day of January, 2016.

  
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JAMES C. FOX

SENIOR UNITED STATES DISTRICT JUDGE